

Opening Statement of Chairman Tom Davis
“Who’s Watching the COOP?”
A Re-Examination of Federal Agencies’ Continuity of Operations Plans”
April 28, 2005
2:00 p.m.
2157 Rayburn House Office Building

Good afternoon. I want to welcome everyone to today’s hearing on federal agencies’ continuity of operations planning.

Also known as COOP, continuity of operations planning is the mechanism by which federal agencies ensure that essential government services continue to be delivered during a major crisis that disrupts normal operations. This is a complex process involving the identification of essential functions, the exploration of numerous emergency contingencies, and the allocation of appropriate resources to prepare for catastrophic events.

In the stark new reality that now confronts our society after the attacks on the World Trade Center and the Pentagon, much has been said and written about the continuity of federal leadership, including Congress. However, more important than anything that goes on up here is the hard work that Federal employees do every day to keep the wheels of government turning. Members of Congress don’t guard our borders, deliver the mail, or keep the government’s payroll books in order. It is federal employees who do these things and more, and they do a spectacular job day after day with no pomp or circumstance. However, what happens if the headquarters of a federal agency, or many federal agencies, is incapacitated in the aftermath of an attack, or a major natural disaster? Federal governmental agencies need to be prepared with a plan to continue doing the most important tasks to serve the American people under any circumstances, and it is this issue that we grapple with this afternoon.

In a hearing held by the Committee almost a year ago to the day, the Government Accountability Office reported significant inadequacies in federal continuity of operations planning, including deficient guidance for federal agencies in identifying their essential functions and an insufficient allocation of resources to ensure continued delivery of services in a crisis. Consequently, I asked GAO to continue to monitor federal COOP planning to ensure that agencies are in compliance with the latest executive and congressional guidance and report back to us annually.

We now have the results of GAO’s first update. In its survey of 45 federal agencies’ COOP plans, the number of essential functions ranged from three to 538. This begs the question, “If an agency has 538 essential functions, how *essential* can they be?” Since last April’s hearing, the Federal Emergency Management Agency, or FEMA, the executive agent for federal COOP preparedness, has issued updated guidance designed to better assist agencies in the identification of essential functions. The Committee is interested in hearing today about what progress has been made in clarifying this important first step in the continuity planning process.

GAO also reported that a majority of COOP plans did not fully identify the mission-critical systems and data, or fully establish resource requirements, necessary to maintain essential services during a crisis. GAO has cited inadequate oversight by FEMA as a contributing factor in this problem, focusing in particular on the fact that FEMA will no longer be verifying agency readiness information submitted via an online reporting system. However, FEMA has told us that the online reporting system was never designed to be an assessment tool but rather to provide authorities with status reports during a crisis. FEMA has also expressed its concern that GAO has not taken into account the field exercises it has conducted to test readiness. We will be delving into these issues today to try and get at the true state of federal COOP planning with the goal of providing FEMA and all federal agencies the support they need to perform this important function and to prepare all federal agencies so they can continue essential functions for our citizens in the event of disaster.

Finally, it is imperative that we incorporate telework into our government's continuity planning. Telework, or allowing employees to work from home or other remote locations, leverages the latest technology to give significant flexibility to managers. The Committee held a hearing last July on this issue because, frankly, many federal managers have been slow to implement telework at their agencies. The federal telework mandate in the Fiscal Year 2001 transportation appropriations act made the Office of Personnel Management responsible for the establishment of telework policies across all agencies by last April. This deadline was not met and this is unacceptable. I look forward to hearing from OPM today what progress it has made in encouraging telework implementation government-wide.

This should be a no-brainer for federal agencies, but unfortunately politics is like a wheelbarrow: nothing happens until you start pushing. A provision in the FY '05 appropriations act will withhold \$5 million from the budgets of several agencies if they continue to balk at telework implementation. Telework is not just common-sense efficiency but an important national security consideration as well. The decentralization of federal agency functions inherent in a healthy telework strategy can greatly increase the survivability of those agencies in the event of a terrorist attack or other disruptive crisis. It can even serve to reduce traffic congestion which, as we all know, is a major problem around here, particularly when one considers the various evacuation scenarios in the event of a disaster in Washington. It doesn't take a disaster, however, to cause significant disruption of daily life in this region. I'm sure we all remember what happened when a disgruntled farmer had a bad day and decided to park his tractor in a pond on the Mall. We need to make progress on this. I am pleased to note that FEMA has added some telework language to its revised COOP guidance, and I look forward to hearing from our witnesses today how we are translating that guidance into practice.

The Committee looks forward to hearing from FEMA, OPM, and GAO on the first panel today on the government's progress in all of these areas. We will also be hearing from some experienced private sector witnesses today on their insight into what we in government call COOP and what they refer to as business continuity. I want to once again welcome all of you and thank you for being here today.